

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MICHAEL MCGREGOR, ZACHARY GIAMBALVO,  
PAUL FELICE, MATTHEW OLIVIERI, EDWARD  
NEWMAN, and DARK STORM INDUSTRIES, LLC,

Plaintiffs,

-against-

SUFFOLK COUNTY, New York, Police Commissioner  
RODNEY HARRISON, in his Official Capacity, and  
Acting Superintendent STEVEN NIGRELLI,  
in his Official Capacity,

Defendants.  
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**Declaration of Patricia M.  
Hingerton in Opposition to  
a Preliminary Injunction**

**Case No.: 2:23-CV-01130**

(Brown, J.)(Lindsay, M.J.)

PATRICIA M. HINGERTON, an attorney duly licensed to practice law before the Courts of this State and in the Eastern District of New York, declares the following to be true and correct under penalty of perjury, pursuant to § 1746 of Title 28 of the United States Code:

1. I am an Assistant Attorney General, of counsel to Letitia James, Attorney General of the State of New York, attorney for Defendant Steven Nigrelli, in his official capacity as Acting Superintendent of the New York State Police (the “Superintendent”) in the above-referenced action.

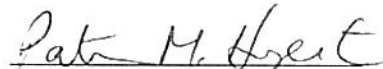
2. I submit this Declaration in support of the Superintendent’s opposition to Plaintiffs’ motion for a preliminary injunction, ECF No. 6, for the limited purpose of putting before the Court the following documents referenced in the accompanying memorandum of law:

Exhibit 1: N.Y. Div. of Criminal Just. Servs., *Frequently Asked Questions Regarding Recent Changes to New York State Firearms Laws* (Aug. 27, 2022).

Exhibit 2: N.Y. State Police, *Frequently Asked Questions for Firearms Dealers Regarding Recent Changes to New York Firearm Laws* (Dec. 6, 2022)

WHEREFORE, for the reasons set forth in the accompanying memorandum of law, it is respectfully requested that Plaintiffs' motion for a preliminary injunction to the extent that it seeks to enjoin the Superintendent from enforcing New York's semiautomatic licensing law on the grounds that it is facially unconstitutional should be denied, and the Court should grant such other and further relief as it may deem just and proper.

Dated: Hauppauge, New York  
April 21, 2023

  
Patricia M. Hingerton  
Assistant Attorney General